

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

FREDDY MASCARENAS-
RODRIGUEZ,)

Defendant.)

CASE NO. CR06-206 JLR

DETENTION ORDER

Offense charged:

Count I: Conspiracy to Distribute Heroin and Cocaine, in violation of Title
21, U.S.C., §§ 841(a)(1), 841(b)(1)(B) and 846.

Date of Detention Hearing: June 28, 2006

The Court, having conducted an uncontested detention hearing pursuant to Title
18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for
detention hereafter set forth, finds that no condition or combination of conditions which the
defendant can meet will reasonably assure the appearance of the defendant as required and
the safety of any other person and the community. The Government was represented by
Sarah Vogel. The defendant was represented by Robert Leen.

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FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) There is probable cause to believe the defendant committed the drug offense. The maximum penalty is in excess of ten years. There is therefore a rebuttable presumption against the defendant's release based upon both dangerousness and flight risk, under Title 18 U.S.C. § 3142(e).

(2) Nothing in this record satisfactorily rebuts the presumption against release:

(a) Defendant is a citizen of Mexico who is in the United States illegally; he has no know ties to the Western District of Washington and ICE has filed a detainer against him.

(b) His criminal history which includes an outstanding misdemeanor warrant and prior removal.

(3) Defendant stipulates to detention at this time with leave to reopen should additional information become available.

It is therefore ORDERED:

(1) The defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

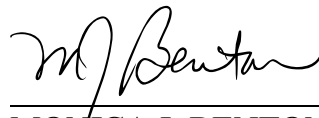
(2) The defendant shall be afforded reasonable opportunity for private consultation with counsel;

(3) On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which the defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court

proceeding; and

- (4) The clerk shall direct copies of this order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 29th day of June, 2006.



MONICA J. BENTON
United States Magistrate Judge